

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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OSCAR LEONEL GARCIA, :
: :
Petitioner, : 20-cv-1345 (LJL)
-v- :
: :
THOMAS DECKER, *in his official capacity as Field* :
Office Director, New York City Field Office, U.S. :
Immigration and Customs Enforcement, :
: :
CHAD WOLF, *in his official capacity as Acting* :
Secretary of the U.S. Department of Homeland Security :
: :
WILLIAM BARR, *in his official capacity as Attorney* :
General, U.S. Department of Justice, :
: :
Respondents. :
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ORDER AND
WRIT OF HABEAS
CORPUS

LEWIS J. LIMAN, United States District Judge:

The Court today heard oral argument via telephonic conference on Petitioner Oscar Leonel Garcia's Petition for Writ of Habeas Corpus (Dkt. No. 1). As explained on the record, the following is HEREBY ORDERED:

- (1) The Court assumes jurisdiction over this matter.
- (2) Respondents are ENJOINED from moving Petitioner outside the New York City area during the pendency of these habeas corpus proceedings.
- (3) The Court hereby ISSUES a writ of habeas corpus pursuant to 28 U.S.C. § 2241 directing Respondents to provide Petitioner a constitutionally adequate bond hearing within seven (7) days of this Court's order. The hearing shall be individualized and before an impartial adjudicator. At the hearing, Respondents shall bear the burden of establishing by clear and convincing evidence that continued detention is justified. If Respondents fail to comply with this Order, Respondents shall immediately release Petitioner from custody on his own recognizance or on reasonable conditions of supervision.

SO ORDERED.

Dated: March 13, 2020
New York, New York


LEWIS J. LIMAN
United States District Judge